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REMARKS

The disclosure is objected to because of certain informalities.

The Applicant has amended the specification in accordance with the Examiner's suggestions, i.e. the related application serial number is identified on pages 1, 3 and 6, and drawing figures 2A and 2B are properly identified on page 4.

Accordingly, it is requested that the objection be withdrawn.

Claims 13 – 30 and 38 – 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

New independent claim 43 corresponds with allowable dependent claim 13, rewritten in independent form and including the limitations of the base claim (independent claim 1) and intervening claim 2. Dependent claims 2 and 13 have been canceled. Allowable dependent claims 14 – 20, 23, 24 and 26 have been amended to change their dependency to independent claim 43. Allowable dependent claims 21, 22, 25 and 27 now indirectly depend from independent claim 43.

New independent claim 44 corresponds with allowable dependent claim 28, rewritten in independent form and including the limitations of the base claim (Independent claim 1) and intervening claim 2. Allowable dependent claim 29 has been amended to change its dependency to independent claim 44. Dependent claim 28 has been canceled.

New independent claim 45 corresponds with allowable dependent claim 30, rewritten in independent form and including the limitations of the base claim (Independent claim 1) and intervening claim 2. Dependent claim 30 has been canceled.

New independent claim 46 corresponds with allowable dependent claim 38, rewritten in independent form and including the limitations of the base claim

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(independent claim 35) and intervening claim 37. Dependent claim 38 has been canceled. Allowable dependent claim 39 has been amended to change its dependency to independent claim 46. Allowable dependent claim 40 now indirectly depends from independent claim 46.

New independent claim 47 corresponds with allowable dependent claim 41, rewritten in independent form and including the limitations of the base claim (independent claim 35). Dependent claim 41 has been canceled. Allowable dependent claim 42 has been amended to change its dependency to independent claim 47.

Accordingly, in view of the amendments, it is requested that the rejection be withdrawn and claims 14 – 27, 29, 39, 40 and 42 – 47 be allowed.

Claims 1, 3, 5, 7 – 12, 31 – 35 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu et al. (U.S. 6,369,451).

Claim 1 has been amended to more clearly distinguish the present invention from the art of record. Specifically, claim 1 now recites "*A dynamic antenna system, comprising: at least one antenna element; and a frequency-selective-surface operably juxtaposed with said at least one antenna element to actively reconfigure the frequency specific reflectivity and absorption characteristics of said surface as a function of the operating characteristics of the at least one antenna element and/or surrounding environmental conditions.*". The device described by Wu et al. is static. That is, Wu does not actively reconfigure the frequency specific reflectivity and absorption characteristics of the surface.

Claim 35 has been amended in a manner similar to claim 1, and is similarly clearly distinguishable from Wu et al..

Claims 3, 5, 7 – 12, 31 – 34 and 37 depend, directly or indirectly, from one of independent claims 1 or 35, and are thus similarly distinguishable from Wu et al..

Accordingly, it is requested that the rejection be withdrawn.

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Claims 1 – 3, 6, 8, 9 and 34 – 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Sureau (U.S. 5,579,024).

For the reasons discussed regarding Wu et al., independent claims 1 and 35 are also clearly distinguishable from Sureau. Sureau describes a “shutter” type device, which is not actively reconfigurable in the sense of the present invention.

Claim 2 is canceled. Claims 3, 6, 8, 9, 34 and 36 – 37 depend, directly or indirectly, from one of independent claims 1 or 35, and are thus similarly distinguishable from Sureau.

Accordingly, it is requested that the rejection be withdrawn.

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Conclusion

Applicant believes, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the telephone number provided.

Please charge the fee for new claims 43 through 49 to Deposit Account No. 50-0831.

The commissioner is hereby authorized to charge any fees associated with this communication and/or credit any overpayments to Deposit Account No. 50-0831.

Respectfully submitted,



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